



6. Defendants violated the Section 7 overtime provisions of the FLSA, 29 U.S.C. § 207(a), by failing to pay their employees an overtime premium not less than time and one-half their regular rates for hours worked in excess of forty hours per workweek.
7. Defendants violated the Section 11(c) recordkeeping provisions of the FLSA, 29 U.S.C. § 211(c), by failing to make, keep, and preserve records of their employees' wages, hours, and other conditions of employment.
8. Defendants' violations of the FLSA were willful.
9. Defendants are jointly and severally liable to their employees for \$3,538,360.72 in back wages for the period of November 9, 2015 to May 27, 2022.<sup>1</sup>
10. Defendants are jointly and severally liable for equal liquidated damages under Section 16(b) of the FLSA, 29 U.S.C. § 216(b), totaling \$3,538,360.72 for the period of November 9, 2015 to May 27, 2022; and
11. Defendants' violations warrant permanent injunctive relief against future violations of the FLSA:
  - a. Defendants shall not, contrary to Section 7 of the Act, employ any of its employees including, but not limited to, any of its employees working at any business location owned, operated, and/or controlled by Defendants, and at any other business location at which its employees perform work, in any workweek when they are engaged in commerce or employed in an enterprise engaged in

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<sup>1</sup> Payment of back wages and liquidated damages may be made online by ACH transfer, credit card, or debit card by going to <https://www.pay.gov/public/form/start/77689032> or [www.pay.gov](https://www.pay.gov). Alternatively, payment may be made by certified check, bank check, or money order, payable to "Wage and Hour Division, U.S. Department of Labor," and mailed to the Northeast Regional Office, 1835 Market Street, Mailstop WHD/19, Philadelphia, PA 19103. The check or money order shall bear the following reference: Case ID No. 1863888.

commerce, within the meaning of the Act, for workweeks longer than the hours now, or which in the future become, applicable under Sections 7 and 15(a)(2) of the Act, unless the said employees receive compensation for their employment in excess of the prescribed hours at a rate equivalent to one and one-half times the regular rates applicable to them.

- b. Defendants shall not fail to make, keep, and preserve adequate records of its employees and of the wages, hours, and other conditions and practices of employment maintained by them including, but not limited to, any of its employees working at any business location owned, operated, and/or controlled by Defendants, and at any other business location at which its employees perform work, as prescribed by the Regulations issued pursuant to Section 11(c) and 15(a)(5) of the Act and found at 29 C.F.R. Part 516.employees who pursue their rights under 29 U.S.C § 215(a)(3) the FLSA.

**BY THE COURT:**

**/s/ Chad F. Kenney**

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**CHAD F. KENNEY, J.**